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Attorneys for Plaintiff, Thomas E. Perez, Secretary  
United States Department of Labor

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEVADA

THOMAS E. PEREZ, Secretary of	) Docket No.: 2:14-cv-1615
Labor, United States Department of	)
Labor,	) COMPLAINT FOR VIOLATIONS OF
	) THE FAIR LABOR STANDARDS
Plaintiff,	) ACT
v.	)
	)
	)
A CAB LLC, a Nevada Limited	)
Liability Company,	)
CREIGHTON J. NADY, an individual,	)
	)
	)
	)
Defendants.	)

1. Plaintiff, **THOMAS E. PEREZ**, Secretary of Labor, United States  
Department of Labor, brings this action to enjoin defendants **A CAB LLC**, as a

1 Nevada Limited Liability Company, **CREIGHTON J. NADY**, as an individual,  
2 from violating the provisions of the Fair Labor Standards Act of 1938, as amended,  
3 29 U.S.C. §§ 201-219, hereinafter called the Act, pursuant to section 17 of the Act,  
4 29 U.S.C. § 217; and to recover unpaid minimum wage compensation owing to  
5 defendants' employees, together with an equal amount as liquidated damages,  
6 pursuant to section 16(c) of the Act, 29 U.S.C. § 216(c).

7         2.       Jurisdiction of this action is conferred upon the Court by sections  
8 16(c) and 17 of the Act, 29 U.S.C. §§ 216(c) and 217, and 28 U.S.C. §§ 1331 and  
9 1345.

10        3.       Venue lies in the United States District Court, District of Nevada,  
11 Southern Division, pursuant to 28 U.S.C. § 1391(b) as a substantial part of the  
12 events giving rise to the claim occurred in Las Vegas, Nevada.

13        4.       (a)     Defendant, **A CAB LLC**, is and at all times hereinafter  
14 mentioned was a corporation with an office and a place of business at 1500 Searles  
15 Avenue, Las Vegas, Nevada, 89101, within the jurisdiction of this Court, and is  
16 and at all times hereinafter mentioned was engaged in the operation of a taxicab  
17 business.

18               (b)     Defendant, **CREIGHTON J. NADY**, an individual, at all times  
19 hereinafter mentioned acted directly or indirectly in the interest of **A CAB LLC**, in  
20 relation to its employees, by setting wages, hours, record keeping procedures, and  
21 hiring and firing such employees.

22        5.       Defendant **A CAB LLC**, is and at all times hereinafter mentioned was  
23 engaged in related activities performed through unified operation or common  
24 control for a common business purpose, and is and at all times hereinafter  
25

1 mentioned was an enterprise within the meaning of section 3(r) of the Act, 29  
2 U.S.C. § 203(r).

3         6. Defendant **A CAB LLC**, is and at all times hereinafter mentioned was  
4 an enterprise engaged in commerce or in the production of goods for commerce  
5 within the meaning of sections 3(s)(1)(A) of the Act, 29 U.S.C. § 203(s)(1)(A), in  
6 that said enterprise at all times hereinafter mentioned had employees engaged in  
7 commerce or in the production of goods for commerce, or employees handling,  
8 selling, or otherwise working on goods or materials that have been moved in or  
9 produced for commerce by any person and in that said enterprise has and has had  
10 an annual gross volume of sales made or business done of not less than \$500,000.

11         7. Defendants have willfully and repeatedly violated, and continue to  
12 violate, the provisions of sections 6 and 15(a)(2) of the Act, 29 U.S.C. §§ 206 and  
13 215(a)(2), by paying many of their employees wages at rates less than the  
14 applicable federal minimum wage in workweeks when said employees were  
15 engaged in commerce and in the production of goods for commerce or were  
16 employed in an enterprise engaged in commerce or in the production of goods for  
17 commerce, within the meaning of the Act, as aforesaid.

18         8. Defendants, employers subject to the provisions of the Act, repeatedly  
19 have violated, and continue to violate the provisions of sections 11(c) and 15(a)(5)  
20 of the Act, 29 U.S.C. §§ 211(c) and 215(a)(5), in that they failed to make, keep,  
21 and preserve adequate and accurate records of all employees and the wages, hours  
22 and other conditions and practices of employment maintained by them as  
23 prescribed by regulations duly issued pursuant to authority granted in the Act and  
24 found in 29 C.F.R. § 516, in that the defendants did not maintain and preserve  
25 records for at least one employee and/or such records fail to show adequately and

1 accurately, among other things, the hours worked each workday and the total hours  
2 worked each workweek, thereby depriving, interfering and impeding the ability of  
3 the employees, and derivatively the Secretary, to detect, identify and have notice of  
4 the underpayment of minimum wages due under the Act.

5 9. During the relevant statutory period and thereafter, defendants have  
6 willfully and repeatedly violated, and continue to violate, the aforesaid provisions  
7 of the Act. A judgment which enjoins and restrains such violations and includes  
8 the restraint of any withholding of payment of unpaid minimum wage and  
9 overtime compensation found by the court to be due to present and former  
10 employees under the Act is expressly authorized by section 17 of the Act, 29  
11 U.S.C. § 217.

12 **WHEREFORE**, cause having been shown, plaintiff prays for a judgment  
13 against defendants as follows:

14 (a) For an Order pursuant to section 17 of the Act, 29 U.S.C. § 217,  
15 permanently enjoining and restraining defendants, their officers, agents, servants,  
16 employees, and those persons in active concert or participation with them from  
17 prospectively violating the provisions of section 15 of the Act, 29 U.S.C. § 215;  
18 and

19 (b) For an Order  
20 (1) pursuant to section 16(c) of the Act, 29 U.S.C. § 216(c), finding  
21 defendants liable for minimum wage compensation due defendants' employees and  
22 for liquidated damages equal in amount to the unpaid minimum wage  
23 compensation found due defendants' employees, including those listed in the  
24 attached Exhibit A (additional back wages and liquidated damages may be owed to  
25

1 certain employees presently unknown to plaintiff for the period covered by this  
2 complaint);

3 (2) In the event liquidated damages are not awarded, pursuant to  
4 section 17 of the Act, 29 U.S.C. § 217, enjoining and restraining defendants, their  
5 officers, agents, servants, employees and those persons in active concert or  
6 participation with defendants, from withholding payment of unpaid back wages  
7 found to be due defendants' employees, and pre-judgment interest at an  
8 appropriate interest rate; and

9 (c) For an Order awarding plaintiff the costs of this action; and

10 (d) For an Order granting such other and further relief as may be  
11 necessary or appropriate,

12 Dated: October 1, 2014

13 M. PATRICIA SMITH  
14 Solicitor of Labor

15 JANET M. HEROLD  
16 Regional Solicitor

17 SUSAN SELETSKY  
18 FLSA Counsel

19 By: /s/ Andrew J. Schultz  
20 ANDREW J. SCHULTZ  
21 Trial Attorney

22 UNITED STATES  
23 DEPARTMENT OF LABOR  
24 Attorneys for the Plaintiff  
25

EXHIBIT A

**NAME**

**Abdella, Juhar M**  
**Abebe, Tamrat**  
**Abraha, Tesfalem B**  
**Abuel, Alan B**  
**Abuhay, Fasil M**  
**Acosta, Lorrie F**  
**Adamian, Robert**  
**Adams, Michael J**  
**Adamson, Nicole K**  
**Agacevic, Ibnel**  
**Ahmed, Ahmed A**  
**Alemayhu, Tewodros D**  
**Alexander, Darvious N**  
**Ali, Abraham A**  
**Allen, Otis L**  
**Alnaif, Abdul S**  
**Altamura, Vincent T**  
**Alves, Mary A**  
**Ameha, Samuale B**  
**Anastasio, James**  
**Anderson, Jason E**  
**Anderson, Roosevelt A**  
**Anif, Janeid M**  
**Appel, Howard J**  
**Applegate, Angela M**  
**Arar, Isam K**  
**Arell, Roger D**  
**Arellano, Miguel A**  
**Arnwine, Howard B**  
**Asad, Tassawar A**  
**Aseffa, Mulubahan Z**

EXHIBIT A

**Assena, Zenebech K**  
**Atanasov, Nikolay P**  
**Atterbury, Joseph A**  
**Aurich, Juan P**  
**Awalom, Alemayehu G**  
**Azzouay, El Houcine**  
**Baca-Paez, Sergio A**  
**Baker, Timothy J**  
**Bakhtiari, Marco L**  
**Barbu, Ion D**  
**Bardo, Timothy F**  
**Barich, Edward C**  
**Barnes, Benjamin**  
**Barr, Kenneth W**  
**Barrett, Jon A**  
**Barseghyan, Artur**  
**Bartunek, Johnny W**  
**Batista, Eugenio L**  
**Bellegarde, Josue**  
**Benel, Christian E**  
**Bey, Ronald A**  
**Bialorucki, Richard M**  
**Black, Burton J**  
**Blanco, Mario L**  
**Blanusa, Zeljko**  
**Boling, Freddy D**  
**Borges, Antonio G**  
**Borja, Virginia**  
**Bowen, Christopher T**  
**Bozic, Nebojsa**  
**Bradley, Leroy V**  
**Brauchle, Michael**  
**Brimhall, Tracy L**  
**Brisco, Allen L**  
**Briski, Louis**

EXHIBIT A

**Brown, Maurice**  
**Buergey, Christopher M**  
**Butler, Bonnie J**  
**Caldwell Jr., Paul M**  
**Calise, Domenic R**  
**Cancio-Betancourt, Rene S**  
**Carr, Jamaal C**  
**Casiello, Anthony R**  
**Catoggio, Alfred T**  
**Caymite, Luc**  
**Chang, Yun-Yu**  
**Chasteen, Jeffrey T**  
**Chatrizeh, Shahin**  
**Chau, Phi V**  
**Chico, David**  
**Choudhary, Krishna M**  
**Christensen, Rosa L**  
**Christodoulou, Panos**  
**Cohoon, Thomas S**  
**Coizeau, Leonardo R**  
**Collier, Ella R**  
**Collins, Donald V**  
**Collins, Lincoln**  
**Coney-Cummings, Keisha T**  
**Conway, James H**  
**Costello, Brad**  
**Craddock, Charles P**  
**Crawford, Darryl W**  
**Daniels, Donald W**  
**Daniels, Katherine A**  
**Danielsen, Danny**  
**D'Arcy, Timothy C**  
**Davis, Bradley C**  
**Deguzman, Fermin B**  
**Deguzman, Leloi S**



EXHIBIT A

**DeMarco, William J**  
**Deocampo, Michael M**  
**Desta, Fissehaye S**  
**Diaz, Aiser L**  
**Dibaba, Desta T**  
**Diemoz, Ernest D**  
**Dillard, Corey L**  
**Dinok, Ildiko**  
**Disbrow, Ronald L**  
**Dobszewicz, Gary S**  
**Donahoe, Stephen L**  
**Dontchev, Nedeltcho**  
**Dotson, Contessa R**  
**Dotson, Eugene B**  
**Draper, Ivan L**  
**Dudek, Anthony R**  
**Durey, Robert J**  
**Durtschi, Jeffrey**  
**Edwards, Jeffrey A**  
**Egan, Joseph W**  
**Ekoue, Ayi**  
**Ellis, Charles C**  
**Emling, Paul E**  
**Ernst, William L**  
**Eshaghi, Mohammad**  
**Estrada, Michael S**  
**Evans, Pamela D**  
**Fadlallah, Michel J**  
**Farah, Yohannes M**  
**Fears, Thomas A**  
**Feleke, Melak M**  
**Fesehazion, Teabe**  
**Filfel, Kamal A**  
**Fleming, Gary G**  
**Frankenberger, Grant R**

EXHIBIT A

**Furst III, James P**  
**Garcia, John E**  
**Garcia, Miguel B**  
**Gardea, Alfred E**  
**Gared, Yaekob G**  
**Garras, Bill G**  
**Gaumond, Gerard J**  
**Gebrayes, Henock L**  
**Gebremariam, Meley A**  
**Gebreyes, Fanuel H**  
**Gelane, Samuel G**  
**Ghori, Azhar**  
**Gianopoulos, Samuel N**  
**Gillett, David C**  
**Gilmore, Paula J**  
**Gleason, John T**  
**Glogovac, Goran**  
**Godsey, Kelly L**  
**Golden, Theresa M**  
**Golla, Dawit A**  
**Gomez-Gomez, Arlene R**  
**Gonzalez, Luis A**  
**Gonzalez, Ramon**  
**Goolsby, Victor**  
**Grafton, Natasha D**  
**Gray, Gary D**  
**Green, Tony D**  
**Greever, Rickey E**  
**Gross, Timothy S**  
**Guil, Inessa**  
**Guinan, William J**  
**Gyuro, John H**  
**Habtom, Ermias**  
**Hadley, Aaron S**  
**Haigh III, Walter E**

EXHIBIT A

**Hanna, Christopher S**  
**Hansen, Jordan Z**  
**Haralambov, Valko G**  
**Harms, Michael**  
**Harrell, Mark K**  
**Harris III, Reggie W**  
**Harris, Dennis R**  
**Harris, Jason B**  
**Harris, Jay L**  
**Harun, Idris Y**  
**Hasen, Akmel W**  
**Haskell, William L**  
**Hays, Larry M**  
**Herbert, Christopher L**  
**Herga, Ryan A**  
**Hinks, Dana**  
**Holcomb, Dalton E**  
**Holler, Alfonso**  
**Hollis, James L**  
**Holt, John R**  
**Hooper, Donald L**  
**Hoschouer, Christina A**  
**Hughes, Jerry**  
**Hunter, James A**  
**Huntington, Walter D**  
**Hurd, Donald P**  
**Hurley, Robert A**  
**Hurtado, Hubert B**  
**Hussien, Leykun E**  
**Inman, Christopher W**  
**Ivey, Timothy**  
**Jackson, Frederick D**  
**Jackson, Willie J**  
**Jarmosco, John J**  
**Jelancic, Vladko**

EXHIBIT A

**Jellison, Charles S**  
**Jimenez, Michael J**  
**Johnson, Kennard T**  
**Johnson, Richard B**  
**Johnson, Rodney L**  
**Jones, Glenn O**  
**Joseph, Leroy A**  
**Kaiyoorawongs, Chaipan**  
**Kang, Chong**  
**Kang, Dae Ik**  
**Kaplon, Mark S**  
**Karner, Adam M**  
**Keba, Woldmarim G**  
**Kenary, Brian T**  
**Kennerly, Bridgett N**  
**Kern, Gary F**  
**Key, Roy F**  
**King Jr., John**  
**Klein, Phillip N**  
**Knight, Tyree D**  
**Kogan, Martin J**  
**Krouse, Stephen P**  
**Kunik, Robert**  
**Laico, Paul T**  
**Lantis, Glen**  
**Leacock, Brian**  
**Leal, Jill I**  
**Lee, Thomas J**  
**Legesse, Dereje G**  
**Ligus, Thomas J**  
**Link, Peter J**  
**Linn, Ronald M**  
**Linzer, Steven A**  
**Little, Dennis P**  
**Lonbani, Khosro D**

EXHIBIT A

**Lovelady, Warren S**  
**Lovin, Charles E**  
**Lydick, Chip S**  
**Macato, Jaime L**  
**Magana, Luis Antonio**  
**Magazin, Milorad**  
**Mahoney, Kevin J**  
**Mainwaring, David C**  
**Majors, John N**  
**Manor, Quincy A**  
**Maras, Maria M**  
**Martinez-Ramirez, Eduardo**  
**Mastrio, Angelo M**  
**Maza, Inez E**  
**McCarter, Patrick E**  
**McCarthy, John L**  
**McConnell, Therral R**  
**McCoubrey, Earl E**  
**McGowan, Sean**  
**McGregor, Matthew E**  
**McLandaum, Antonio O**  
**McNeece, James J**  
**Medina, Taurean S**  
**Mekonen, Solomon**  
**Melesse, Abebe B**  
**Meloro, Paul M**  
**Mengesha, Alemayehu**  
**Menocal, Pedro P**  
**Mezzenasco, Pedro J**  
**Milliron, Darrol Q**  
**Mindyas, James B**  
**Mirkulovski, Danny**  
**Mitrikov, Ilko I**  
**Mogeeth, Ehab K**  
**Monforte II, Peter R**

EXHIBIT A

**Monteagudo, Oscar C**  
**Montoya, Francisco J**  
**Moore, Aileen L**  
**Moore, Jerry**  
**Moreno, James M**  
**Moretti, Bryan J**  
**Morley, David L**  
**Morris, Robert**  
**Morris, Thomas J**  
**Mostafa, Ahmed M**  
**Murawski, Richard F**  
**Murray, Mark A**  
**Murray, Michael P**  
**Nazarov, Mikael A**  
**Ndichu, Simon K**  
**Negashe, Legesse M**  
**Netrayana, Kanchalee**  
**Newell, John D**  
**Ngo, Tuan T**  
**Nichols, Keith**  
**Nigussie, Gulilat T**  
**Norberg, Christopher R**  
**Norvell, Chris D**  
**Ocampo, Leonardo O**  
**Ogbazghi, Dawit**  
**Ohlson, Ryan E**  
**Olen, Virginia F**  
**Oliveros, Mario**  
**Ontura, Tesfalem B**  
**O'Shea, Kevin M**  
**Osterman, Victor L**  
**Overson, Michael T**  
**Oyebade, Vincent O**  
**Ozgulgec, Tunc**  
**Pak, Sam U**

EXHIBIT A

**Pariso, David J**  
**Parker, Shawnette M**  
**Paros, Nicholas**  
**Patry, Michael J**  
**Pearson, Jon C**  
**Penera, Eric S**  
**Perrotti, Dominic W**  
**Peterson, Kenneth C**  
**Peterson, Steven A**  
**Petrossian, Robert**  
**Phonesavanh, Paul**  
**Pilkington, Margaret A**  
**Pitts, Amir G**  
**Platania, John A**  
**Pletz, David E**  
**Pohl, Daniel**  
**Portillo, Mario E**  
**Presnall, Darryl L**  
**Price, Allen D**  
**Price, James L**  
**Prifti, Ilia K**  
**Purdue, Robert H**  
**Pyles, Joseph P**  
**Ramirez, Erney M**  
**Rasheed, Willie A**  
**Ray, William A**  
**Reid, Marvin D**  
**Relopez, Craig M**  
**Reno, Michael A**  
**Rivas, Victor M**  
**Roach, Jayson R**  
**Roberson, Ronnie**  
**Roberts, James**  
**Robles, Mark A**  
**Rockett Jr., Roosevelt**

EXHIBIT A

**Rohlas, Polly A**  
**Romano, Anthony L**  
**Romero, Ruben J**  
**Rosenthal, John S**  
**Ross, Larry W**  
**Rothenberg, Edward L**  
**Rotich, Emertha**  
**Rousseau, James R**  
**Ruby, Melissa F**  
**Ruiz, Travis C**  
**Russell, Darrell L**  
**Saevitz, Neil R**  
**Salameh, George S**  
**Saleh, Jemal**  
**Sampson, James M**  
**Sanders, Acy**  
**Saravanos, John T**  
**Sayed, Jamil A**  
**Schoeb, Kirk C**  
**Schroeder, William L**  
**Schwartz, George H**  
**Schwartz, Steven**  
**Sedgwick, Anthony A**  
**Serio, John A**  
**Serrano, Hector N**  
**Sevillet, Otto E**  
**Sexner, Alexis L**  
**Shallufa, Azmy**  
**Shein, Efraim**  
**Sherman, Jason C**  
**Shinn, Kevin H**  
**Shoyombo, Rilwan O**  
**Siasat, Manuel N**  
**Siegel, Jeffrey M**  
**Siljak, Lidiya**



EXHIBIT A

**Siljkovic, Becir**  
**Simmons, John D**  
**Sinay, Abraham**  
**Singh, Baldev**  
**Sitotaw, Haileab T**  
**Smale, Charles J**  
**Smith Jr., Willie**  
**Smith, Jephthy L**  
**Smith, Lisa**  
**Smith, Lottie M**  
**Smith, Robert J**  
**Solis, Brigido D**  
**Sorbi, Nina F**  
**Soree, Mladen V**  
**Sorrosa-Paulin, Juan**  
**Soto, Jacob D**  
**Soto, Johnny**  
**Sparks, Cody J**  
**Spaulding, Ross X**  
**Spilmon, Mark A**  
**Springer, Marvin L**  
**Stauff, John E**  
**Stayton, William P**  
**Steck, Gregory C**  
**Stern, Robert H**  
**Stevenson, John F**  
**Stockton, Clarence W**  
**Stonebreaker, Dawn M**  
**Talley, George A**  
**Tarragano, Stephen G**  
**Terry, James J**  
**Thomas, Scott R**  
**Thompson, Glen R**  
**Thompson, Michael B**  
**Ticheste, Biserot G**

EXHIBIT A

**Travis, Brian T**  
**Tucker, Kenlon A**  
**Tullao, Isaac T**  
**Tyler, Christopher M**  
**Ullah, Mohammad H**  
**Urban, David**  
**Urbanski, Anthony**  
**Valdes, Lazaro R**  
**Vanluven, RJ**  
**Vences, Alfredo B**  
**Viado, Ramon S**  
**Villegas, Gene L**  
**Vongthep, Christopher**  
**Wagg, John M**  
**Wakeel, Daud I**  
**Wallace, James S**  
**Wallace, Roy L**  
**Warner, Terrance O**  
**Weaver, Gerie L**  
**Webb, Ricky**  
**Weiss, Matthew B**  
**Welborn, Paul M**  
**Weldu, Berhane G**  
**Welzbacher, Daniel R**  
**Williams, Danny H**  
**Wilson Jr., Mose**  
**Wolde, Hailemariam G**  
**Woldeghebriel, Berhane H**  
**Wondired, Eshetu D**  
**Wong, Jorge S**  
**Woodall, Charles E**  
**Wright, Edward T**  
**Yabut, Gerry C**  
**Yamaguchi, Alicia C**  
**Yepiz-Patron, Ubaldo**

EXHIBIT A

**Yesayan, Razmik**  
**Yihdego, Abdulkadir M**  
**Yimer, Yidersal Z**  
**Younes, Ahmed**  
**Zabadneh, Randa**  
**Zafar, John A**  
**Zawoudie, Masfen B**  
**Zelege, Abraham A**  
**Zhen, Yong Q**